

**DEPARTMENT OF LABOR****Office of the Secretary****Agency Information Collection Activities; Submission for OMB Review; Comment Request; Unemployment Insurance State Quality Service Plan****ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, "Unemployment Insurance State Quality Service Plan," to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 *et seq.*).

**DATES:** Submit comments on or before September 26, 2011.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain>, on the day following publication of this notice or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an e-mail to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the U.S. Department of Labor, Employment and Training Administration (ETA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-6929/Fax: 202-395-6881 (these are not toll-free numbers), e-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by e-mail at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** The State Quality Service Plan is one of several implementing documents for UI PERFORMS that allows for an exchange of information between the Federal and State partners to enhance the ability of the program to reflect the joint commitment to continuous improvement and client centered services.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is

generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB Control Number 1205-0132. The current OMB approval is scheduled to expire on August 31, 2011; however, it should be noted that information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on May 5, 2011 (76 FR 25710).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should reference OMB Control Number 1205-0132. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment and Training Administration (ETA).

*Title of Collection:* Unemployment Insurance State Quality Service Plan.

*OMB Control Number:* 1205-0132.

*Affected Public:* State, Local, and Tribal Governments.

*Total Estimated Number of Respondents:* 53.

*Total Estimated Number of Responses:* 848.

*Total Estimated Annual Burden Hours:* 2,576.

*Total Estimated Annual Other Costs Burden:* \$0.

Dated: August 22, 2011.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2011-21850 Filed 8-25-11; 8:45 am]

**BILLING CODE 4510-FW-P**

**LEGAL SERVICES CORPORATION****Sunshine Act Meeting; Cancellation—Board of Directors**

**TIME AND DATE:** The August 25, 2011 meeting of the Legal Services Corporation's Board of Directors previously noticed in Volume 76, Number 162 of the **Federal Register**, at pages 52352-52353, has been *cancelled*.

**CONTACT PERSON FOR INFORMATION:**

Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295-1500. Questions may be sent by electronic mail to [FR\\_NOTICE\\_QUESTIONS@lsc.gov](mailto:FR_NOTICE_QUESTIONS@lsc.gov).

Dated: August 23, 2011.

**Victor M. Fortunio,**

*Vice President & General Counsel.*

[FR Doc. 2011-21962 Filed 8-24-11; 11:15 am]

**BILLING CODE 7050-01-P**

**NUCLEAR REGULATORY COMMISSION**

**[NRC-2008-0441; Docket Nos. 52-027-COL and 52-028-COL]**

**South Carolina Public Service Authority (Also Referred to as Santee Cooper); Combined Licenses for Virgil C. Summer Nuclear Station, Units 2 and 3**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of hearing.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC or the Commission) will convene an evidentiary session to receive testimony and exhibits in the uncontested portion of this proceeding regarding the application of South Carolina Electric & Gas Company for two combined licenses (COLs) seeking approval to construct and operate new nuclear power generation facilities at the Virgil C. Summer Nuclear Station (VCSNS). This mandatory hearing will concern safety and environmental matters relating to the proposed issuance of the requested COLs.

**DATES:** The hearing will be held on October 12, 2011, from 9 a.m. (Eastern

Daylight Time). For a schedule for submitting prefiled documents and deadlines affecting Interested Government Participants, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:**

Rochelle C. Baval, Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-1651; e-mail: [Rochelle.Baval@nrc.gov](mailto:Rochelle.Baval@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The Commission hereby gives notice that, pursuant to Section 189a of the Atomic Energy Act, it will convene an evidentiary session to receive testimony and exhibits in the uncontested portion of this proceeding regarding the March 27, 2008, application of South Carolina Electric & Gas Company, acting for itself and as agent for the South Carolina Public Service Authority (also referred to as Santee Cooper), for two Title 10 of the Code of Federal Regulations (10 CFR) part 52 combined licenses (COLs), seeking approval to construct and operate new nuclear power generation facilities at the Virgil C. Summer Nuclear Station (VCSNS), to be located in Fairfield County, South Carolina. This mandatory hearing will concern safety and environmental matters relating to the proposed issuance of the requested COLs, as more fully described below. Participants in the hearing are not to address any contested issues in their written filings or oral presentations.

**Matters To Be Considered**

The matter at issue in this proceeding is whether the review of the application by the Commission's staff has been adequate to support the findings found in 10 CFR 52.97 and 10 CFR 51.107 for each of the COLs to be issued. Those findings that must be made for each COL are as follows:

**Issues Pursuant to the Atomic Energy Act of 1954, as Amended**

(1) Whether the applicable standards and requirements of the Act and the Commission's regulations have been met; (2) whether any required notifications to other agencies or bodies have been duly made; (3) whether there is reasonable assurance that the facility will be constructed and will operate in conformity with the license, the provisions of the Act, and the Commission's regulations; (4) whether the applicant is technically and financially qualified to engage in the activities authorized; and (5) whether issuance of the license will not be

inimical to the common defense and security or the health and safety of the public.

**Issues Pursuant to the National Environmental Policy Act (NEPA) of 1969, as Amended**

(1) Determine whether the requirements of Sections 102(2)(A), (C), and (E) of NEPA and the applicable regulations in 10 CFR Part 51 have been met; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view to determining the appropriate action to be taken; (3) determine, after weighing the environmental, economic, technical, and other benefits against environmental and other costs, and considering reasonable alternatives, whether the combined license should be issued, denied, or appropriately conditioned to protect environmental values; and (4) determine whether the NEPA review conducted by the NRC staff has been adequate.

**Evidentiary Uncontested Hearing**

The Commission will conduct this hearing beginning at 9:00 a.m., Eastern Daylight Time (EDT) on October 12, 2011, at the Commission's headquarters in Rockville, Maryland. The hearing on these issues will continue on subsequent days, if necessary.

**Presiding Officer**

The Commission is the presiding officer for this proceeding.

**Schedule for Submittal of Pre-Filed Documents**

No later than September 27, 2011, unless the Commission directs otherwise, the staff and the applicant shall submit a list of its anticipated witnesses for the hearing.

No later than September 27, 2011, unless the Commission directs otherwise, the applicant shall submit its pre-filed written testimony. The staff previously submitted its testimony on August 19, 2011.

The Commission may issue written questions to the applicant or the staff before the hearing. If such questions are issued, an order containing such questions will be issued no later than September 14, 2011. Responses to such questions are due September 27, 2011, unless the Commission directs otherwise.

**Interested Government Participants**

No later than September 12, 2011, any interested State, local government body, or affected, Federally-recognized Indian Tribe may file with the Commission a

statement of any issues or questions that the State, local government body, or Indian Tribe wishes the Commission to give particular attention to as part of the uncontested hearing process. Such statement may be accompanied by any supporting documentation that the State, local government body, or Indian Tribe sees fit to provide. Any statements and supporting documentation (if any) received by the Commission using the agency's E-filing system<sup>1</sup> by the deadline indicated above will be made part of the record of the proceeding. The Commission will use such statements and documents as appropriate to inform its pre-hearing questions to the Staff and applicant, its inquiries at the oral hearing and its decision following the hearing. The Commission may also request, prior to September 28, 2011, that one or more particular States, local government bodies, or Indian Tribes send one representative each to the evidentiary hearing to answer Commission questions and/or make a statement for the purpose of assisting the Commission's exploration of one or more of the issues raised by the State, local government body, or Indian Tribe in the pre-hearing filings described above. The decision of whether to request the presence of a representative of a State, local government body, or Indian Tribe at the evidentiary hearing to make a statement and/or answer Commission questions is solely at the Commission's discretion. The Commission's request will specify the issue or issues that the representative should be prepared to address.

States, local governments, or Indian Tribes should be aware that this evidentiary hearing is separate and distinct from the NRC's contested hearing process. Issues within the scope of contentions that have been admitted in a contested proceeding for a COL application are outside the scope of the uncontested proceeding for that COL application. In addition, while States, local governments, or Indian Tribes participating as described above may take any position they wish, or no position at all, with respect to issues

<sup>1</sup> The process for accessing and using the agency's E-filing system is described in the October 10, 2008, notice of hearing that was issued by the Commission for this proceeding. See South Carolina Electric & Gas Company, Acting for Itself and as Agent for the South Carolina Public Service Authority (Also Referred to as Santee Cooper) Application for the Virgil C. Summer Nuclear Station Units 2 and 3; Notice of Order, Hearing, and Opportunity To Petition for Leave To Intervene [73 FR 60362]. Participants who are unable to use the EIE, or who will have difficulty complying with EIE requirements in the time frame provided for submission of written statements, may provide their statements by electronic mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov).

regarding the COL application or the NRC Staff's associated environmental review that do fall within the scope of the uncontested proceeding (i.e., issues that are not within the scope of admitted contentions), they should be aware that many of the procedures and rights applicable to the NRC's contested hearing process due to the inherently adversarial nature of such proceedings are not available with respect to this uncontested hearing. Participation in the NRC's contested hearing process is governed by 10 CFR 2.309 (for persons or entities, including States, local governments, or Indian Tribes, seeking to file contentions of their own) and 10 CFR 2.315(c) (for interested States, local governments, and Indian Tribes seeking to participate with respect to contentions filed by others). Participation in this uncontested hearing does not affect a State's, local government's, or Indian Tribe's right to participate in the separate contested hearing process.

The Commission recognizes that a request to participate under 10 CFR 2.315(c) in proceedings regarding this COL application was previously dismissed on mootness grounds by an NRC Atomic Safety and Licensing Board. Such dismissals apply solely to the contested portion of the proceeding, and do not affect any rights to participate in this uncontested portion of the proceeding.

Dated at Rockville, Maryland, this 22nd day of August 2011.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. 2011-21896 Filed 8-25-11; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 70-7001; Certificate No. GDP-1; EA-11-056; NRC-2011-056]

### **In the Matter of United States Enrichment Corporation; Paducah Gaseous Enrichment Plant; Confirmatory Order (Effective Immediately)**

#### **I**

The United States Enrichment Corporation (USEC), a subsidiary of USEC Inc., is the holder of the United States Nuclear Regulatory Commission (NRC or the Commission) Certificate of Compliance (COC) No. GDP-1 issued by the NRC pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Part 76 on November 26, 1996, and renewed on December 22, 2008. The

COC is set to expire on December 31, 2013. The certificate authorizes USEC to operate the Paducah Gaseous Diffusion Plant (Paducah), located near Paducah, Kentucky. The certificate also authorizes USEC to receive, and other NRC licensees to transfer to USEC, byproduct material, source material, or special nuclear material to the extent permitted under the COC.

This Confirmatory Order is the result of an agreement reached during an alternative dispute resolution (ADR) mediation session conducted on July 22, 2011.

#### **II**

On March 17, 2010, an incident occurred at the Paducah facility involving the spread of contamination while operators were involved in the routine activity of swapping cylinders from the enrichment cascade in the 337A feed building. USEC-Paducah management promptly initiated an investigation to review the incident.

On July 14, 2010, the NRC's Office of Investigations (OI) initiated an investigation (OI Case No. 2-2010-037) regarding activities at the Paducah facility. The purpose of the investigation was to determine whether an operator willfully violated applicable radiation protection procedures.

Based on the evidence developed during the NRC investigation, the NRC staff identified one apparent violation, as documented in the NRC's letter to USEC-Paducah dated May 18, 2011. The apparent violation involved the failure to adhere to the requirements of USEC-Paducah Procedure UE2-HP-RP1030, Rev. 4, "Conduct of Radiological Operations," which requires that personnel shall properly perform a whole body frisk when exiting from areas controlled for removable contamination, unless otherwise authorized by Health Physics. USEC-Paducah is required by Certificate GDP-1 to implement the procedure in accordance with Technical Safety Requirements 3.9.1, "Procedures Scope," which requires, in part, that written procedures shall be implemented to cover activities listed in Appendix A to Safety Analysis Report (SAR) Section 6.11. Appendix A to SAR 6.11, "Procedures," requires, in part, the licensee to implement procedures to cover radiation protection activities. In this case, an operator failed to properly use a radiation monitor before exiting the contamination control zone (CCZ), and spread contamination of high activity level to the Operations Monitoring Room, an area adjacent to the CCZ and inside the 337A feed building.

The NRC's letter of May 18, 2011, preliminarily concluded that the cause of the violation was due, in part, to the deliberate misconduct of an operator at the Paducah facility.

#### **III**

On July 22, 2011, the NRC and USEC met in an ADR session mediated by a professional mediator, which was arranged through Cornell University's Institute on Conflict Resolution. ADR is a process in which a neutral mediator with no decision-making authority assists the parties in reaching an agreement or resolving any differences regarding their dispute. This confirmatory order is issued pursuant to the agreement reached during the ADR process. The elements of the agreement consist of the following:

1. USEC-Paducah agreed that the issue described in Section II above represents a violation of Certificate GDP-1, Technical Safety Requirements 3.9.1, and USEC-Paducah Procedure UE2-HP-RP1030, in that an employee by-passed a radiation monitor and exited the CCZ. USEC-Paducah also agreed with the NRC's conclusion that the violation was due, in part, to the deliberate misconduct of the employee at the Paducah facility.

2. At the ADR session, USEC-Paducah acknowledged the seriousness associated with the procedural violation and the deliberate misconduct of its employee. The incident caused the spread of contamination and constituted a serious violation of its procedures, standards, and expectations. The potential consequences of the incident could have been more significant, because under different circumstances, contamination could have been spread to other areas of the facility, and off-site. The incident prompted USEC to conduct a thorough investigation of the event, a determination of the extent of condition, and a root cause evaluation. USEC's investigation also included a review of the circumstances that took place during the routine operational activities of swapping cylinders to the enrichment cascade that resulted in the existence of contaminated material. In addition, USEC investigated the operational and procedural aspects that established the conditions that led to the spread of contamination in the autoclave facility.

3. In response to the violation described above, USEC-Paducah implemented numerous corrective actions and enhancements to address the incident and to prevent recurrence, including but not limited to:

a. A prompt investigation into the incident, and the initiation of its